

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX

INDEX NO. 16-07307/2008
SEC NO. 002

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

170 BROAD, LLC

PETITIONER(S)

AGAINST

SEMAKILA

TARSHA/GEORGE

RESPONDENT(S)

PREMISES:

135 WEST 170TH STREET

BRONX

NY 10450000

UPON THE VERIFIED AFFIDAVIT (ON BEHALF) OF TARSHA/GEORGE SEMAKILA, THE ABOVE NAMED RESPONDENT(S), SWORN TO ON OCTOBER 31, 2008, AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A MOTION HEAR OF THE

CIVIL COURT OF THE CITY OF NEW YORK

HOUSING PART: PART M: RM. 460

LOCATED AT: 1116 GRAND CONCOURSE, BRONX

ON: NOVEMBER 18, 2008, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR, RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER, HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

DELIVERY OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE PARTY'S ATTORNEY OR, IF HE/SHE HAS NONE, ON THE PARTY,

ATTORNEY OR PARTY:

MARSHAL:

JUDGE TO INITIAL:

JUDGE TO INITIAL:

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY CERTIFIED MAIL, R. R. R.

BY CERTIFIED MAIL, R. R. R.

BY FIRST CLASS MAIL WITH CERTIFICATE

BY FIRST CLASS MAIL WITH CERTIFICATE

OF MAILING AT POST OFFICE

OF MAILING AT POST OFFICE

ON OR BEFORE

SHALL BE DEEMED ALSO AND SUFFICIENT.

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE OR IN THE U.S. DISTRICT COURT OFFICE BEFORE THE HEARING DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

ALFRED J. BRONBERG, P.C.

2000 WHITE PLAINS ROAD

BRONX, NY 10455

TELEPHONE: (718) 625-8820

MARSHAL:

ROBERT J. BLO-BADGE #9

181 EAST 161 ST.

EX, NY 10451

TELEPHONE: (718) 641-8878

*No proof of ability to pay
shown. Remain with proof
the errors will be paid by MA*

FILED: ALBERT

CLERK, CIVIL HOUSING COURT

CLERK'S OFFICE (RECEIVED 7/20/08)

(PLEASE PRESS HARD)

39735/08

**AFFIDAVIT IN SUPPORT OF
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**
Based Upon a) Failure To Appear b) Failure to Comply
and

TO RESTORE TO THE CALENDAR

Address:

1136 West 170th
Bronx NY 10452 Apt. E1

Petitioner,

Respondent

State of New York, County of SS:Arsha Senakula
(Print Your Name)

being duly sworn, deposes and says:

Tenant's Initials1.
PARTY

- a) I am the tenant named as respondent in the above summary proceeding.
b) I am the person claiming possession to these premises and am the _____
of the tenant named above.

2.
**SERVICE
and ANSWER**

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and
received a date for trial.
I received a Holdover Notice of Petition and Petition and the date had already passed.

3.
EXCUSE

- On the Date of Trial before Judge _____
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in
Court on the date scheduled for (Trial) (Motion) is: _____

- b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order
of the Court because: Catholic Charities evaluated me and
I was not eligible for their services

4.
DEFENSE

I allege that I have a good defense because:

- _____ I was improperly served. _____ petitioner is not the owner.
_____ the amount being claimed is incorrect. _____ no rent was demanded.
_____ there is credit due for rent overcharge. _____ the rent has been partially/fully paid.*
_____ the rent has been offered and refused. _____ I have been harassed.
_____ there are conditions in the apartment which need repair or services which have not been provided.

- * Explain rent payments, if any, or other defense: Waited for Social service
evaluation, was determined not eligible Beginning
Dec 1 pay 1,000.00 - 200.00 based on arrears otherwise I have to move

5.
REQUEST

I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted
permission to serve these papers in person.

6.
**PRIOR
ORDER**

- a) I have not had a previous Order to Show Cause regarding this index number.
b) I have had a previous Order to Show Cause regarding this index number but I am making this further
application because: _____

Sworn to before me this

31 day of Oct, 2008

Signature of Court Employee and Title

Signature of Respondent

Page 2

CIVIL COURT OF THE CITY OF NEW YORK

County of
Date

9/29/08 Part M

170 Group LLC
Petitioner(s),
againstTarsha Semakula
Respondent(s)
170 W 170 # E1

Index No. L&T:

Page 1 of
Hear. Fitzpatrick

STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)

Petitioner

Respondent 1

Respondent 2

Respondent 3

Added/Amended
or Deleted

Appearance

No Appearance

No Answer

Motion granted solely to the extent of staying execution of the warrant to 10-15-08 for the payment of \$3,524.90 thru Sept 2008. After payment may be accepted w/o prejudice. All payments received shall be applied to current then of the Arden Rep Sellen Repair. (A) Paint Apartment (B) tiles in Bathroom (C) Electrical box in kitchen. I will inspect & repair as legally needed upon default re-mail Marshall notice only. Access due 9/30/08 10:AM

Ken J30 OSC

CIVIL COURT OF THE CITY OF NEW YORK
 COUNTY OF BRONX
 HOUSING PART M, RM. 460
 SEPTEMBER 29, 2008

INDEX NO. 039735/2008
 MOTION SEQUENCE NO.: 002

170 GROUP, LLC

PETITIONER(S),

AGAINST

SEMAKULA

TARSHA/GEORGE
 RESPONDENT(S)

DECISION/ORDER

PRESENT:

THOMAS M. FITZPATRICK
 JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE
 REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/RESTORE TO THE CALENDAR

PAPERS

NUMBERED

NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....
 ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....
 ANSWERING AFFIDAVITS.....
 REPLYING AFFIDAVITS.....
 EXHIBITS.....
 STIPULATIONS.....
 OTHER.....

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS
 AS FOLLOWS:

MG GREX

DATE

9/29/08

JUDGE, CIVIL/HOUSING COURT

[Signature]

ADJOURNMENTS

NEW YORK INDEX NO. 039735/2008
 SEQ NO. 002
 ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

170 GROUP, LLC

170 GROUP, LLC
 AGAINST PETITIONER(S),
 SEMAKULA TARSHA/GEORGE
 RESPONDENT(S)

PREMISES:
 136 WEST 170TH STREET E1
 BRONX NY 104520000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF TARSHA/GEORGE SEMAKULA,
 THE ABOVE NAMED RESPONDENT(S), SWORN TO ON SEPTEMBER 15, 2008,
 AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A
 MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK
 HOUSING PART: PART M, RM. 460
 LOCATED AT: 1118 GRAND CONCOURSE, BRONX
 ON: SEPTEMBER 29, 2008, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,
 RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER
 AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,
 HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE
 PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),
 ATTORNEY (OR PARTY)

(JUDGE TO INITIAL)

MARSHAL:

(JUDGE TO INITIAL)

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY CERTIFIED MAIL, R. R. R.

BY CERTIFIED MAIL, R. R. R.

BY FIRST CLASS MAIL WITH CERTIFICATE

BY FIRST CLASS MAIL WITH CERTIFICATE

OF MAILING AT POST OFFICE

OF MAILING AT POST OFFICE

ON OR BEFORE

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE
 OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

ALFRED I. GREENBERG, P.C.
 4200 WHITE PLAINS ROAD
 BRONX, NY 10466
 TELEPHONE: (718) 655-8200

MARSHAL:

THOMAS J BIA-BADGE #9
 181 EAST 161 ST.
 BX, NY 10451
 TELEPHONE: (718) 681-8878

DATE

THOMAS M. FITZPATRICK
 JUDGE, CIVIL/HOUSING COURT

DENIED

GENERATED: 09/15/2008 @ 11:24:41

CIV-LT-71 (REVISED 7/99)

New York

I.D. Presented Type: NY
No I.D. provided

Housing Part

(PLEASE PRESS HARD)

Index No. LT

39735108

against

Petitioner,

Respondent

AFFIDAVIT IN SUPPORT OF
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENTBased Upon a) Failure To Appear b) Failure to Comply
and

TO RESTORE TO THE CALENDAR

Address:

136 West 170th Street
Bronx NY 10452 Apt. E1

State of New York, County of _____ SS.:

Tarsha Senakula
(Print Your Name)

being duly sworn, deposes and says:

Tenant's Initials

1. TS
PARTY

- a) I am the tenant named as respondent in the above summary proceeding.
b) I am the person claiming possession to these premises and am the _____ of the tenant named above.

2. TS
SERVICE
and ANSWER

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.
I received a Holdover Notice of Petition and Petition and the date had already passed.

3. TS
EXCUSE

- On the Date of Trial before Judge _____
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: _____

- b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: the assistance (Catholic Charities) and employment that I needed to satisfy the stipulation has now arrived.

4. TS
DEFENSE

I allege that I have a good defense because:

- | | |
|--|---|
| <input type="checkbox"/> I was improperly served. | <input type="checkbox"/> petitioner is not the owner. |
| <input type="checkbox"/> the amount being claimed is incorrect. | <input type="checkbox"/> no rent was demanded. |
| <input type="checkbox"/> there is credit due for rent overcharge. | <input type="checkbox"/> the rent has been partially/fully paid.* |
| <input type="checkbox"/> the rent has been offered and refused. | <input type="checkbox"/> I have been harassed. |
| <input checked="" type="checkbox"/> there are conditions in the apartment which need repair, or services which have not been provided. | |

*Explain rent payments, if any, or other defense:

I the assistance (Catholic Charities) and employment that I needed to satisfy the stipulation has now arrived.5. TS
REQUEST

- I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6. TS
PRIOR
ORDER

- a) I have not had a previous Order to Show Cause regarding this index number.
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: _____

Sworn to before me this 1st day of Sept, 2017

Signature of Respondent

Signature of Court Employed and Title



OFFICE OF THE CITY MARSHAL
 THOMAS J. BIA
 CITY MARSHAL # 9
 181 EAST 161st STREET
 BRONX, NY 10451
 PHONE: 718/681-8878
 FAX: 718/681-8677

WARRANT REQUISITION

COUNTY: BRONX
 INDEX # 039735/08

MARSHAL'S DOCKET # 223863

PETITIONERS

170 GROUP, LLC

RESPONDENTS

TARSHA SEMAKULA,

ADDRESS:

APT: E1

ROOMS: ALL

136 West 170th Street Apt.# E1

Bronx, NY 10452

N/P X H/O _____ A/T X DEF _____ RES X COM _____

COMMENTS: ISSUANCE FORTHWITH per stipulation

DATE: July 30, 2008

Thomas J. Bia
 THOMAS J. BIA

BADGE # 9

KK03-18-E1

CLERK OF THE CIVIL COURT OF THE CITY OF
COUNTY OF BRONX

LT Index

170 GROUP, LLC

- against -


TARSHA SEMAKULA

*Petitioner
Landlord*

*Respondent
Tenant*

136 WEST 170th STREET
APT. E1
BRONX ,NY 10452

YOU ARE HEREBY REQUESTED TO SUBMIT THE PAPERS IN THE ABOVE
ENTITLED PROCEEDING TO THE JUDGE FOR A FINAL JUDGEMENT.
JUDGEMENT FOR ALL ITEMS CLAIMED AS ADDITIONAL RENT(S) IS
HEREBY WAIVED WITHOUT PREJUDICE.


ATTORNEYS FOR THE PETITIONER
Alfred I. Greenberg

Alfred I. Greenberg, P.C.
4200 White Plains Road
Bronx, New York 10466

KK03-18-E1

COUNTY OF
DECISION AND JUDGMENT

170 GROUP, LLC,

AGAINST
SEMAKULA, TARSHA
SEMAKULA, GEORGE

Petitioner

Respondent (s)

Decision and judgment is rendered based upon
a stipulation entered into by the parties as follows:

Judgment of possession is granted in favor of:

170 GROUP, LLC,

and against

SEMAKULA, TARSHA

A counterclaim is granted in favor of the respondent in the amount of \$0.00
(which if not being entered separately is offset and reflected in the
total amount due, listed below.)

A money judgment is hereby granted, along with cost and disbursements
in the amount of \$0.00 in favor of:

170 GROUP, LLC,

and against

SEMAKULA, TARSHA

for a total amount of \$2039.14

(Monthly use and occupancy is set at \$0.00 per month, as per order,
stipulation or decision in record.)

Warrant to issue forthwith

Execution

APB

Date

7/29

Judge, Civil/Housing Court

THOMAS M. FITZPATRICK
JUDGE, HOUSING PART

Section 5020(c) of the Civil Practice Law and Rules requires that a satisfaction be filed with the
clerk when the judgment is satisfied. Failure to do so subjects the judgment creditor to penalties.

ENTRY OF JUDGMENT

Judgment entered in accordance with the above on

7/29

Chief Clerk, Civil Court

Warrant issued to Marshal

Bia

On

8/15/08

CIVIL COURT OF THE CITY OF NEW YORK
 COUNTY OF Bronx
 PART M DATE: 7/29/08

HON. J. [unclear]

170 Group, LLC

Plaintiff(s)/Petitioner(s)

-against-

TARSHA SEMAKULA + ~~George Semakula~~

STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following settlement of the issues in this matter:

S. Crockett
A

Defendant(s)/Respondent(s)

Party Status:	<u>170 Group LLC</u>	Added/Amended/Deleted	<u> </u>	Appearance	<u> </u>	No Appearance	<u> </u>	No Answer	<u> </u>
Petitioner:	<u>TARSHA SEMAKULA</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Respondent:	<u>TARSHA SEMAKULA</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Respondent:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Plaintiff discontinues case against George Semakula w/o prejudice.

1. Respondent consents to a FINAL JUDGMENT in the amount of \$ 2,039.14 which represents all rent due through July 31/2008 and the Petition is so amended.

(Respondent has a Breakdown)

2. ISSUANCE OF THE WARRANT FORTHWITH, execution stayed to a default of the following payments:

MOTION GRANTED TO THE EXTENT OF STAYING EXECUTION OF THE WARRANT TO A DEFAULT OF THE FOLLOWING PAYMENTS:

(UPON DEFAULT, RE MAIL MARSHAL'S NOTICE ONLY. NO FURTHER MARSHAL'S NOTICE REQUIRED.)

a. \$ 2039.14 BY 8/29/08 b. \$ BY c. \$ BY

RESPONDENT tenders, accepted without prejudice & already credited above:

--PARTIAL PAYMENTS MAY BE ACCEPTED WITHOUT PREJUDICE & ALL PAYMENTS RECEIVED SHALL FIRST BE APPLIED TO CURRENT RENT, THEN TO ARREARS.

ONE (1) ORDER TO SHOW CAUSE UPON GOOD CAUSE

Respondent alleges: (A) files in Bathroom floor (B) Paint Apartment.
(C) Electrical wires exposed in kitchen & hallway

Landlord to inspect & repair as legally needed

Access Dates: 8/11/08 9-5 & any days needed thereafter. Tenant's telephone # 1816-594-3185

works by nara

ATTORNEY FOR PETITIONER(S)

RESPONDENT(S)

CIVIL COURT OF THE

County of Bronx
Housing Part170 Group LLC

Petitioner(s),

-against-

Tarsha Semakula, George Semakula

Respondent(s)

LANDLORD
ANSWER IN PERSONName: Semakula, Tarsha, M.Address: 136 West 170th Street
Bronx 10452 Apt. E1☒ Respondent/☐ Person claiming possession has appeared and has orally answered the Petition as follows:AnswerSERVICE

1. ☐ The Respondent did not receive a copy of the Notice of Petition and Petition.
2. ☐ The Respondent received the Notice of Petition and Petition, but service was not correct as required by law.

PARTIES

3. ☐ The Respondent is indicated improperly, by the wrong name, or is not indicated on the Notice of Petition and Petition.
4. ☐ The Petitioner is not the Landlord or Owner of the building, or a proper party.

RENT

5. ☐ No rent demand or proper rent demand, either oral or written, was made before this proceeding.
6. ☐ The Respondent tried to pay the rent, but the Petitioner refused to accept it.
7. ☐ The monthly rent being requested is not the legal rent or the amount on the current lease.
8. ☐ The Petitioner owes money to the Respondent because of a rent overcharge.
9. ☐ The rent, or a portion of the rent, has already been paid to the Petitioner.

APARTMENT

10. ☐ There are conditions in the apartment which need to be repaired and/or services which the Petitioner has not provided.
11. ☐ Public Assistance shelter allowance has stopped because of housing code violations in the apartment or the building.
12. ☐ The apartment is an illegal apartment.

OTHER

13. ☐ Laches.
14. ☐ General Denial.
15. ☐ Respondent/Person claiming possession is in the military service or is a dependent of someone in the military service.
16. ☒ Other Answer Disputes Amount

7/22/08

Dated

KW

Clerk's Initials

NOTICE OF SCHEDULED APPEARANCE

This case is scheduled to appear on the calendar as follows:

DATE: 7/29/2008 TIME: 2pm PART: M ROOM: 460

YOU SHOULD ARRIVE AT THE COURTHOUSE AT LEAST ONE HALF HOUR BEFORE THE ABOVE SCHEDULED TIME, TO ALLOW TIME TO BE PROCESSED THROUGH THE METAL DETECTORS. IF A SETTLEMENT IS NOT REACHED ON THE ABOVE SCHEDULED DATE THE CASE MAY BE SENT TO A TRIAL-READY PART FOR A TRIAL. IF YOU WILL NOT BE READY FOR TRIAL ON THE ABOVE SCHEDULED DATE, YOU MUST ASK THE COURT FOR ANOTHER TRIAL DATE. IF THE COURT DOES NOT ACCEPT YOUR REASON FOR NOT BEING READY FOR TRIAL, AND YOUR REQUEST FOR ANOTHER TRIAL DATE IS DENIED, YOU MAY BE REQUIRED TO PROCEED TO TRIAL IMMEDIATELY.

THE CLERK CANNOT CHANGE THE SCHEDULED DATE OR TIME.

YOU MUST APPEAR AND BRING THIS FORM WITH YOU.

For assistance visit a Resource Center in the courthouse or the court's website: NYCourts.Gov/NYCHousing.

CIVIL COURT OF CITY OF NEW YORK
COUNTY OF BRONX HOUSING PART
170 GROUP, LLC

Index No. LT

Petitioner(s)-Landlords(s)

against
TARSHA SEMAKULA
GEORGE SEMAKULA

Respondent(s) - Tenant(s)

136 WEST 170th STREET
APT. E1

Address

BRONX, NY 10452

First Name of Tenant and/or Undertenant being fictitious and unknown to petitioner.
Person intended being in possession of the premises herein described.

To the respondent(s) above named and described, in possession of the premises hereinafter described or claiming possession thereof:

PLEASE TAKE NOTICE that the annexed petition of 170 GROUP, LLC verified July 14, 2008 prays for final judgment of eviction, awarding to the petitioner possession of the premises described as follows: All Rooms, Apartment E1 located at 136 West 170th Street, Bronx, NY 10452, County of Bronx, in the City of New York as demanded in the petition.

TAKE NOTICE also that demand is made in the petition for judgment against you for the sum of \$2,688.80 with interest from plus the cost and disbursements of the proceeding.

TAKE NOTICE also that WITHIN FIVE DAYS after service of this Notice of Petition upon you, you must answer, either orally before the Clerk of this Court at 1118 Grand Concourse, Bronx, NY 10456, County of Bronx, City and State of New York, or in writing by serving a copy thereof upon the attorneys for the petitioner, and by filing the original of such answer, with proof of service thereof, in the Office of the Clerk. Your answer may set forth any defense or counterclaim you may have against the petitioner unless such defense or counterclaim is precluded by law or prior agreement of the parties. On receipt of your answer, the Clerk will fix and give notice of the date for trial or hearing which will be held not less than 3 nor more than 8 days thereafter, at which you must appear. If, after the trial or hearing, judgment is rendered against you, the issuance of a warrant dispossessing you may, in the discretion of the Court, be stayed for FIVE days from the date of such judgment.

TAKE NOTICE also that if you fail to interpose and establish any defense that you may have to the allegations of the petition, you may be precluded from asserting such defense or the claim on which it is based in any other proceeding or action.

In the event you fail to answer and appear, final judgment by default will be entered against you but a warrant dispossessing you will not be issued until the tenth day following the date of the service of this Notice of Petition upon you.

TAKE NOTICE that under Section 745 of the Real Property Actions and Proceedings Law, you may be required by the Court to make a rent deposit, or a rent payment to the petitioner, upon your second request for an adjournment or if the proceeding is not settled or a final determination has not been made by the court within 30 days of the first court appearance. Failure to comply with an initial rent deposit or payment order may result in the entry of a final judgment against you without a trial. Failure to make subsequent required deposits or payments may result in an immediate trial on issues raised in your answer.

Dated: July 14, 2008

JACK BAER

Chief Clerk of the Civil Court of the City of New York

JUL 15 2008 Page 12

6039735

2008

City of New York
Housing Part

Petitioner(s)
Landlord(s)

SEMAKULA
TARSHA

Tenant(s)

Address
136 WEST 170th STREET

10452

Amount: \$2,688.80

BRONX

APT. E1

NON-PAYMENT

Attorney for Petitioner(s)

ED L. GREENBERG, P.C.

Key at Law

WHITE PLAINS RD

BRONX, NY 10466

555-8200

NOTICE OF PETITION

Non-Payment DWELLING

08 JUL 21 AM 12:30
NOTICE OF PETITION
JUL 21 AM 12:30
JUL 21 AM 12:30

AFFIDAVIT OF SERVICE

Index No. 039735STATE OF NEW YORK
COUNTY OF ROCKLAND)
)ss:Stephen A. Weiss 710878 being duly sworn, desposes and says: Desponent is not a party to this proceeding and is over the age of eighteen years.On 7/17 2008 at 731A4 O'clock Deponents served copies of the attached X NOTICE OF PETITION AND PETITION 3 DAY NOTICE 10 DAY NOTICE 30 DAY NOTICE NOTICE OF TERMINATION ORDER TO SHOW CAUSE OTHEROn TARSHA SEMAKULA + GEORGE SEMAKULA, the Respondents or persons therein named,Service of the attached was made at 136 WEST 170 ST Apartment E1
as follows: Bronx, NY 10452

PERSONAL SERVICE: By personally delivering to and leaving with the said

true copies thereof.

The person identified self to be _____ the person mentioned and described as:

SEX _____ SKIN _____ HAIR _____ HEIGHT _____ WEIGHT _____ AGE _____ FEATURES _____

SUBSTITUTED SERVICE: Having gained admittance to the premises and delivering to and leaving true copies thereof personally with someone named _____, a person of suitable age and discretion who stated that he or she resided at or was employed at the premises and who is described as:

SEX _____ SKIN _____ HAIR _____ HEIGHT _____ WEIGHT _____ AGE _____ FEATURES _____ and who was willing to accept same.

CONSPICUOUS SERVICE: Having gained admittance to the main entrance door of the premises mentioned and by locating the door of Apartment E1, true copies of the papers referred to for the said Respondents or persons were affixed to the door which is the PREMISES SOUGHT TO BE RECOVERED. That at the time of said service Deponent rang the bell and/or knocked on the door but received no reply. That after reasonable application, Deponent was unable to find a person of suitable age and discretion who was willing to accept service.Prior to 7/17, 2008 service was attempted at 440P4 O'clock on 7/15, 2008. Subsequently, on 7/18, 2008, conformed copies were properly enclosed in post-paid wrappers, addressed and mailed by regular first class mail, and certified mail to reach Respondent or the person at the premises described above. The mail was deposited in a post office box regularly maintained by the U.S. Government at: U.S. P.O. BOX BRONX, NEW YORK 10451Sworn to before me this
day of7/18 2008
Bonny Weiss

Notary Public State of New York

No. 44-451688

Qualified in Rockland County

Commission expires May 31, 2011


Lic. No. Stephen A. Weiss 710878

ALFRED I. GREENBERG, P.C.
Attorney at Law
4200 WHITE PLAINS RD
BRONX, NY 10466
Phone: (718) 655-8200

Date: July 14, 2008

To: TARSHA SEMAKULA
GEORGE SEMAKULA

This firm has been retained to collect a debt consisting of rent arrears totaling \$2338.80
Any information obtained will be used for that purpose.

The below named creditor claims that you owe rent arrears as specified. You have 30 days from receipt of this notice to dispute the debt in writing. If you fail to do so, we will assume the debt to be valid. If you timely notify us, in writing, that you do dispute the debt, we will obtain verification of the debt and mail same to you. Upon your written request made within thirty (30) days of the receipt of this notice, we will provide you with the name and address of the original creditor, if different from the current creditor.

This opportunity to dispute the debt is separate from any response that you are required to make or any action you are required to take with respect to any other legal notices you receive. Please respond to any legal notices you may receive within the time frames set forth in those notices.

Creditor: 170 GROUP, LLC

TARSHA SEMAKULA & *GEORGE SEMAKULA*
136 WEST 170th STREET, APT: E1
BRONX, NY 10452

KK03 -18 -E1

L & T No. 088039736	
Civil Court of The City of New York	
County of BRONX	Housing Part
<hr/>	
170 GROUP, LLC	Landlord(s)
<hr/>	
against TARSHA SEMAKULA GEORGE SEMAKULA	Tenant(s)
<hr/>	
136 WEST 170th STREET	Undertenant(s)
<hr/>	
Apt. E1	
BRONX, NY 10452	
Amount Claimed: \$2,688.80	
KK03 -18 -E1	
<hr/>	
PETITION NON-PAYMENT	
<hr/>	
Notice of Petition served on _____	
Notice of Petition returned on _____	
Notice of Petition issued on _____	
Tenant appears on _____ big fails to answer.	
Tenant answers _____	
Answer is _____	
<hr/>	
Set for Trial on _____	
Landlord notified on _____	
Sufficiency of answer referred to court _____	
Raises _____ issue _____	
Judge _____	
<hr/>	
Attorney for Petitioner(s) ALFRED I. GREENBERG, P.C. Attorney at Law 4200 WHITE PLAINS RD BRONX, NY 10466 718/655-8200	

THE PETITION OF 170 GROUP, LLC, alleges, upon Information and Belief:

1. Petitioner(s) is(are) the landlord(s) of the premises.
2. Respondent(s) TARSHA SEMAKULA, GEORGE SEMAKULA, is (are) tenant(s) in possession of said premises pursuant to a WRITTEN lease agreement made heretofore wherein respondent(s) promised to pay to landlord(s) or landlord's predecessor as rent \$805.34 each month in advance on the 1ST day of each month.
3. Respondent(s) , is(are) the undertenant(s) of the aforesaid respondent(s) tenant(s).
4. Respondent(s) is(are) now in possession of said premises. Said premises is(are) the residence of the tenants and undertenants herein.
5. The premises for which removal is sought was rented for Dwelling purposes and are described as follows:
All Rooms, Apartment E1 in the building known as 136 West 170th Street, Bronx, NY 10452, situated within the territorial jurisdiction of the Civil Court of the City of New York, County of BRONX.

6. Pursuant to said agreement there was due from respondent tenant(s), the sum of \$ 2,688.80 in rent and additional rent as follows
LEGAL FEES \$350.00 Jul 08 \$805.34
Jun 08 \$522.34
May 08 \$215.88
Apr 08 \$781.88
Mar 08 \$13.36

7. THE PREMISES ARE SUBJECT TO THE RENT STABILIZATION LAW OF 1969 AS AMENDED AND HAVE BEEN DULY REGISTERED WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL-DHCR AND THE RENT DEMANDED HEREIN DOES NOT EXCEED THE REGISTERED RENT AND DOES NOT EXCEED THE LAWFUL RENT STABILIZED RENT.

8. Said rent has been demanded personally from the tenant(s) since same became due.

9. Respondents have defaulted in the payments thereof and continue in possession of premises without permission after said default.
10. The premises are a multiple dwelling and pursuant to the Housing Maintenance Code Article 41 there is a currently effective registration statement on file with the Office of Code Enforcement which designates the managing agent named below, a natural person over 21 years of age, to be in control of and responsible for the maintenance and operation of the dwelling.
Agent KEYOUMARS KEYPOUR
332 EAST 151st STREET
BRONX NY 10451
Multiple Dwelling No. 203252

WHEREFORE Petitioner requests a final judgment against respondent(s) for the rent demanded therein, awarding possession of the premises to petitioner landlord, and directing the issuance of a warrant to remove respondent(s) from possession of the premises together with costs and disbursements of this proceeding. Dated: 07/14/2008

170 GROUP, LLC
STATE OF NEW YORK, COUNTY OF BRONX . The undersigned affirms under penalty of perjury that he is the attorney for the petitioner, that he has read the foregoing petition and knows the contents thereof that the same are true to his own knowledge except as to matters stated to be upon information and belief; and as to those matters he believes them to be true. The grounds of his belief as to matters not stated upon his knowledge are statements and/or records provided by the petitioner, its agents and/or employees and contained in the files in the attorney's office. This verification is made pursuant to the provisions of RPAPL 741.

Housing Part

Index No. LT

PLEASE PRESS HARD

39735/18

AFFIDAVIT IN SUPPORT OF

AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT

Based Upon a) Failure To Appear b) Failure to Comply

and

TO RESTORE TO THE CALENDAR

Address:

136 West 170th St

Bronx NY 10452

Apt. E1

Petitioner,

against

Respondent

State of New York, County of DP SS.:Danisha Semakula

being duly sworn, deposes and says:

Tenant's Initials

1. PARTY

XIS

- a) I am the tenant named as respondent in the above summary proceeding.
 b) I am the person claiming possession to these premises and am the _____ of the tenant named above.

2. SERVICE and ANSWER

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.
 I received a Holdover Notice of Petition and Petition and the date had already passed.

3. EXCUSE

- On the Date of Trial before Judge _____
 a) a Judgment was entered against me by default for my *failure to appear*. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: _____

XIS

- b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: Catholic Charities will process my application for back rent assistance on 9/10/2008

4. DEFENSE

I allege that I have a good defense because:

- _____ I was improperly served.
 _____ the amount being claimed is incorrect.
 _____ there is credit due for rent overcharge.
 _____ the rent has been offered and refused.
X there are conditions in the apartment which need repair, or services which have not been provided.
 _____ petitioner is not the owner.
 _____ no rent was demanded.
 _____ the rent has been partially/fully paid.*
 _____ I have been harassed.

*Explain rent payments, if any, or other defense:

Catholic Charities
will process my application for back rent
assistance on Sept 10th/2008

5. REQUEST

- I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6. PRIOR ORDER

- a) I have not had a previous Order to Show Cause regarding this index number.
 b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: _____

Sworn to before me this

day of

20

08/18/2008
Danisha N. Semakula
 Signature of Respondent

Signature of Court Employee and Title

187648

0307352

LT 039735 -08

Civil Court of the City of New York Housing Court

Respondent Answers on 7/22/2008

Answer is Disputed Amount

Petitioner Notified on 7/22/08

Trial Date 7/29/2008 Part N

Assigned to Part N

039735/2008 RESOL MONPY
07/15/2008

PREMISES:
136 WEST 170TH STREET E1

PETITIONER:
PET: 170 GROUP, LLC

RESPONDENT:
RTY: ALFRED L. GREENBERG, P. C.

RESPONSE:
RSP: SEMAKULA TARSHA/GEORGE

RTY:

☐ Non-Payment ☐ Holdover ☐ Other

☐ Residential ☐ H.P. ☐ 7-A ☐ Commercial

Date Filed Index Number

☐ Date Filed

☐ Fee Waived - Judge

☐ Appeal Filed -

☐ Jury Demand Filed

Date	Part	Court Action or Comments	Adjustment Request: Petitioner	Respondent	Court	Consent	Notice of Appearance <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
7/29/2008	N		Reason for Adjustment:				
9/29/08	M	Page # 203914 158 million in 150k	Rent Deposit: Adjustment period to be excluded under RPAFL §745(2) Adjustment period to be charged under RPAFL §745(2) Days charged to be limited to:				
9/29/08	M	Page 666	Adjustment Request: Petitioner	Respondent	Court	Consent	Notice of Appearance <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
			Reason for Adjustment:				
			Rent Deposit: Adjustment period to be excluded under RPAFL §745(2) Adjustment period to be charged under RPAFL §745(2) Days charged to be limited to:				
			Adjustment Request: Petitioner	Respondent	Court	Consent	Remarks
			Reason for Adjustment:				
			Rent Deposit: Adjustment period to be excluded under RPAFL §745(2) Adjustment period to be charged under RPAFL §745(2) Days charged to be limited to:				

FELONY WARNING:

A person who willfully and unlawfully removes, mutilates, destroys, conceals or obliterates a record of this office is subject to punishment by imprisonment for five years. (Penal Law § 175.25)

JUN 12 2017

039735

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LT039735-08BX

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Date	Court Action or Comments	4	Adjustment Request: Petitioner Respondent Court Consent	Remarks (Print)
Part			Reason for Adjustment:	
So Ordered			Rent Deposit: Adjustment period to be excluded under RPAFL §745(2) Adjustment period to be charged under RPAFL §745(2) Days charged to be limited to:	
Judge				
Date	Court Action or Comments	5	Adjustment Request: Petitioner Respondent Court Consent	
Part			Reason for Adjustment:	
So Ordered			Rent Deposit: Adjustment period to be excluded under RPAFL §745(2) Adjustment period to be charged under RPAFL §745(2) Days charged to be limited to:	
Judge				
Date	Court Action or Comments	6	Adjustment Request: Petitioner Respondent Court Consent	
Part			Reason for Adjustment:	
So Ordered			Rent Deposit: Adjustment period to be excluded under RPAFL §745(2) Adjustment period to be charged under RPAFL §745(2) Days charged to be limited to:	
Judge				

WARRANT INFORMATION

CHECK ONE		Date Warrant Issued	Marshal	REJECTION		Clerk
Date Warrant Application Received	Failed to Answer Default			Reject Reason	Reject Date	
8/16/17		8/16/17	Pla			Pla

FELONY WARNING:

A person who willfully and unlawfully removes, mutilates, destroys, conceals or obliterates a record of this office is subject to punishment by imprisonment for five years (Penal Law § 175.25)

CIVIL COURT RECORD (REVISED JAN 2007)

For OCA Only

Page 19

CASE SUMMARY

Court: Bronx County Civil Court
 Index Number: LT-039735-08/BX
 Case Type: Landlord and Tenant
 Filed Date: 07/15/2008
 Property Type: Residential
 Classification: Non-Payment
 Status: Post Disposition
 Disposed Date: 07/29/2008
 Disposed Reason: Conversion
 Cause(s) of Action: Non-Payment in the amount of \$2,688.80
 Property Address(es): 136 WEST 170TH STREET E1, BRONX, NY 10452, Additional Property Description: E1
 (P) 170 GROUP,LLC
 ALFRED I. GREENBERG,P.C. - 4200 WHITE PLAINS ROAD, BRONX, NY 10466, 718-655-8200
 (R) TARSHA SEMAKULA - 136 WEST 170TH STREET E1, BRONX, NY 10452
 (R) GEORGE SEMAKULA - 136 WEST 170TH STREET E1, BRONX, NY 10452
 (R) SEMAKULA TARSHA/GEORGE - 136 WEST 170TH STREET E1, BRONX, NY 10452

PAPERS RECORDED

07/15/2008 Conversion - Petition - Notice of Petition
 07/22/2008 Conversion - Answer Filed (Self Represented), Oral, Filed By: (R) GEORGE SEMAKULA; (R) SEMAKULA TARSHA/GEORGE; (R) TARSHA SEMAKULA
 07/29/2008 Conversion - Judgment Entered
 08/01/2008 Judgment with Possession (Settled per Stipulation on record), Seq 1, Filed Date: 08/01/2008, Total Judgment: \$2,039.14, Entered Date: 07/29/2008, Status: Entered (07/29/2008), Creditor(s): (P) 170 GROUP,LLC, Debtor(s): (R) TARSHA SEMAKULA
 08/06/2008 Marshal's Request for Warrant - Converted - Marshal Request, Reviewed Date: 08/15/2008, Enforcement Agency: NYC Marshal, Enforcement Officer: THOMAS J BIA
 08/06/2008 Warrant (Original Issuance), Seq A, Judgment Seq 1, Ordering Judge: Thomas Michael Fitzpatrick, Issued/Signed Date: 08/15/2008, Execution: Stayed - Per Stipulation/Order, Enforcement Agency: NYC Marshal, Enforcement Officer: THOMAS J BIA, Returned Date: 02/18/2009, Returned Reason: Executed with Possession Only, Execution Date: 11/05/2008

This report reflects information recorded as of 08/11/2017 10:32 AM. Users should verify the accuracy of information by consulting original court records or sources. The Unified Court System is not responsible for consequential use of this data.

LT-039735-08/BX (P) 170 GROUP, LLC vs. (R) TARSHA SEMAKULA

08/28/2008	Motion (Order to Show Cause), Seq 1, Filed By: (R) GEORGE SEMAKULA; (R) SEMAKULA TARSHA/GEORGE; (R) TARSHA SEMAKULA, Relief: Vacate judgment, Status: Decided (Denied)
09/15/2008	Motion (Order to Show Cause), Seq 2, Court Date(s): 09/29/2008, Filed By: (R) GEORGE SEMAKULA; (R) SEMAKULA TARSHA/GEORGE; (R) TARSHA SEMAKULA, Relief: Vacate judgment, Status: Filed
10/31/2008	Motion (Order to Show Cause), Seq 3, Filed By: (R) GEORGE SEMAKULA; (R) SEMAKULA TARSHA/GEORGE; (R) TARSHA SEMAKULA, Relief: Vacate judgment, Status: Decided (Denied)

APPEARANCE ACTIVITY

07/29/2008	Part M, Judge: Thomas Michael Fitzpatrick, Purpose: For All Purposes, Outcome(s): Judgment on Consent
09/29/2008	Part M, Judge: Miriam M. Breier, Purpose: Motion (2) - Vacate judgment